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July 29, 2019

***Via U.S. Mail***

Rebecca Lucero  
Commissioner of Human Rights  
Minnesota Department of Human Rights  
Freeman Building  
625 Robert Street North  
Saint Paul MN 55155

RE: Rochester Public Schools Compliance and Implementation Report  
MDHR Ref. No. 68096  
Our File No. 0535-0396

Dear Commissioner Lucero:

I represent Independent School District No. 535, Rochester Public Schools (“District”) on matters related to the September 2018 Collaboration Agreement between the Minnesota Department of Human Rights (“MDHR”) and the District. Please accept this letter and its enclosures as the District’s July 2019 compliance and monitoring report.

**I. Data Reporting**

The enclosed Exhibit B contains the summary data required under Paragraph 4a of the Collaboration Agreement. There were 1,120 out-of-school suspensions, three expulsions, and no exclusions during the 2018-2019 school year. For out-of-school suspensions, 0.5 percent were for students who registered as Native American, 3.0 percent were for students who registered as Asian, 11.6 percent were for students who

registered as Hispanic, 37.6 percent were for students who registered as Black, 35.4 percent were for students who registered as White, and 11.9 percent were for students who registered under more than one race. Just over half (52.3 percent) of out-of-school suspensions were for students identified as students with a disability. The three main offenses that resulted in out-of-school suspensions were physical aggression (32.6 percent), fighting (23.6 percent), and alcohol, drugs, tobacco, paraphernalia (14.9 percent). These three offense categories accounted for 78.8 percent of out-of-school suspensions. The 1,120 out-of-school suspensions involved 721 students.

For the three expulsions, two students registered as White. One student registered as Black. Two of the three students who were identified as students with a disability. The offense category for all three expulsions was alcohol, drugs, tobacco, paraphernalia.

## **II. Implementation Reporting**

In accordance with the Agreement's Paragraph 4(b)(i), the enclosed Exhibit A outlines the specific steps the District has taken to implement its plan for addressing the MDHR's concerns related to discipline disparities. The District has measured the effectiveness of its plan by continuing to analyze student discipline data, gathering input from various stakeholders, and participating in the MDHR's diversion committee. The District has not made any significant policy or procedure changes since its last report. It continues to evaluate the long-term effectiveness of significant policy and procedure changes that were made pursuant to its September 2015 Resolution Agreement with the United States Department of Education's Office for Civil Rights ("OCR") and continue to be implemented through the District's agreement with MDHR.

The District is making two changes to its plan to address student discipline disparities. First, as noted in the attached Exhibit B, the District completed its quarterly PBIS implementation training and collaboration with Dr. Sharroky Hollie. Second, the District is eliminating its Rochester Alternative to Suspension Program ("RASP"). The program has not been effective. Instead of RASP, the District will be implementing a "Right Fit" program as an alternative program for middle school students starting this fall.

Please do not hesitate to have a representative of your office contact me if you have any questions or concerns about this report.

Commissioner Lucero  
July 29, 2019  
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Very Truly Yours,



John P. Edison

Enclosures

cc: Michael Muñoz, Superintendent

RASW: 139871

# **Exhibit A**

## **Rochester Public Schools Plan to Address Disparities**

### **ROCHESTER PUBLIC SCHOOLS MISSION**

Our Mission is to inspire, challenge and empower all students with the knowledge and skills required to reach their full potential, to contribute to future generations, and to become involved members of a global community.

### **VISION OF STUDENT SUCCESS**

All students who attend Rochester Public Schools will discover their individual passions along with a strong sense of self and purpose. Students graduate equipped with the skills and qualities outlined in the Graduate Profile.

### **UNIVERSAL GOALS**

#### **Access and Equity**

Make educational equity a reality by ensuring every student experiences high-quality teaching and learning in a culturally responsive environment.

#### **Student Achievement**

Provide teaching and learning environments that engage and empower students to be critical thinkers, ethical contributors, skilled communicators, effective collaborators, resilient learners and success-ready individuals.

#### **Accountability**

Fulfill our commitment to students and families by meeting the expectations of the Graduate Profile, and enlist the community to share in this responsibility.

### **CORE BELIEFS**

Quality schools offer engaging and challenging programs, caring and committed staff, collaborative and visible leaders, and instruction that considers the passion, interest, and needs of each student.

It is possible to increase academic achievement for each and every student.

Family and community engagement and effective partnerships are essential to achieving our vision for student success.

Students play a critical role in their learning. It is critical to identify and understand the academic, cultural, developmental, emotional, and social needs of the student.

Equity is a lens through which all decisions should be made. Education equity is the condition of justice, fairness, and inclusion in our systems of education so that all students have access to the opportunity to learn and develop to their fullest potential.

POSITIVE SCHOOL CLIMATE			
ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	July 2019 Update
Annual review of student handbook and applicable school board policies, including soliciting parent, student, and staff feedback	School Board/Cabinet	May/June	<ul style="list-style-type: none"> <li>● Used SurveyMonkey to solicit feedback from parents, staff, and students. We reviewed the feedback and made the following adjustments:               <ul style="list-style-type: none"> <li>○ Printing one copy per household</li> <li>○ Online acknowledgement form, in addition to paper form included in handbook</li> <li>○ More searchable version online</li> </ul> </li> <li>● Handbook will be reviewed with staff and students in the month of September</li> </ul>
PBIS framework implemented at all sites	Administration/Site PBIS Teams	Ongoing	<ul style="list-style-type: none"> <li>● Continued PBIS implementation with support from the Department of Elementary and Secondary Education at all sites.</li> <li>● For the 2019-2020 school year, PBIS leadership team meetings will occur at the site level with support from District leadership.</li> </ul>
Foster positive staff and student relationships: Responsive Classroom, Love and Logic, Restorative Practices, AVID, Sanneh Foundation (Dreamline)	District and Building Leadership	Ongoing	<ul style="list-style-type: none"> <li>● Continue with the professional development outlined in the January 2019 report.</li> <li>● Began work with Dr. Bill Dagget on positive climate and culture. Dr. Dagget will present to all certified staff and paras during Back to School Week (August 2019).</li> </ul>
Meeting with Police Liaison Officers	Superintendent/District Leadership/Building Leadership	Quarterly	<ul style="list-style-type: none"> <li>● Meetings occurred August 22 and October 26, 2018, as well as January 9, March 20, and May 17, 2019.</li> <li>● Quarterly meetings with School Resource Officers will continue for 2019-2020 school year.</li> </ul>

Integrate CLRT (Culturally and Linguistically Responsive Teaching) strategies into teacher evaluation tool	Midwest Plains Equity (District Equity Experts)/Department of Elementary and Secondary Education	Emerging	<ul style="list-style-type: none"> <li>Continue to integrate CLRT</li> <li>Created a District Equity Leadership Team to coordinate and lead equity efforts throughout the District.</li> </ul>
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PROFESSIONAL DEVELOPMENT/INSTRUCTIONAL PRACTICES			
ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	July 2019 Update
CLRT Practices: ongoing training with Dr. Hollie	All Certified Staff	Ongoing	<ul style="list-style-type: none"> <li>CLR Building Leaders Coaching Conversations Professional Development</li> <li>Dr. Hollie will convene a CLRT student group at the high school level.</li> </ul>
Develop building cohorts receiving extended training in CLRT	Selected staff at each site	Ongoing	<ul style="list-style-type: none"> <li>Cohorts will continue at each site</li> <li>Additional cohorts will be formed at each site to build the number of teachers who are receiving external coaching.</li> </ul>
Ongoing internal coaching support for CLRT	Instructional Coaches/Equity Specialists/Equity Implementation Associate	Ongoing	<ul style="list-style-type: none"> <li>Continued training with Instructional Coaches, lead by Equity Implementation Associate.</li> </ul>
Crisis Prevention and Intervention Strategies training	All Administration/Select Special Ed Staff	Annually	<ul style="list-style-type: none"> <li>CPI Training will be offered in the fall and throughout the year.</li> </ul>
ENVoY (non-verbal classroom management strategies)	All certified K-8	Ongoing	<ul style="list-style-type: none"> <li>All K-8 Certified Staff have completed ENVoY 7 Gems Training</li> <li>All new certified staff will be trained during the school year</li> </ul>
Extended ENVoY for Special Education Staff	Selected K-8 Special Education Staff	Ongoing	<ul style="list-style-type: none"> <li>Individual sites will determine additional ENVoY professional development focused on small group strategies.</li> </ul>
Dr. Treuer training on Native American cultural responsiveness	All Certified Staff and Paraprofessionals	Ongoing	<ul style="list-style-type: none"> <li>Dr. Treuer will be returning to the District in January 2020.</li> </ul>

PBIS training including collaboration with Dr. Hollie	All School Sites	Quarterly in 2018-2019 School Year	<ul style="list-style-type: none"> <li>We have completed this action step</li> </ul>
Provide training on Student Handbook to all staff, administrators and other personnel responsible for response to student behavior	District Administration/Site Administration	Completed by end of September each school year	<ul style="list-style-type: none"> <li>District staff will provide this training during an August 2019 leadership meeting.</li> <li>Staff and students will be trained on the handbook during the month of September.</li> </ul>
Site and departments develop Equity Action Plan	District Administration/Site Administration/Staff	Ongoing	<ul style="list-style-type: none"> <li>All sites will develop an improvement plan to address student behavior, academic, and perception data for the 2019-2020 school year.</li> </ul>

### BEHAVIOR INTERVENTIONS

ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	July 2019 Update
Consistent Office Referral forms across the District	District Administration/Site Administration	Ongoing	<ul style="list-style-type: none"> <li>Continue the efforts from January 2019 report</li> </ul>
Clear and consistent definitions of Level I and Level II behaviors	District Administration/Site Administration	Ongoing	<ul style="list-style-type: none"> <li>Continue the efforts from January 2019 report</li> <li>Review Level I and II behaviors with leadership and reporting requirements</li> </ul>
Standardization of responses to specific behaviors	District Administration/Site Administration	Ongoing	<ul style="list-style-type: none"> <li>Guideline has been developed and District staff will continue to review and update as needed.</li> </ul>

District oversight of suspensions that fall outside the behaviors outlined in the Student Handbook	Department of Elementary & Secondary Education	Ongoing	<ul style="list-style-type: none"> <li>Office of Elementary and Secondary Education will maintain a record of suspensions that fall outside the behaviors outlined in the Student Handbook.</li> </ul>
District oversight of referrals to law enforcement	Office of Elementary and Secondary Education	Ongoing	<ul style="list-style-type: none"> <li>Office of Elementary and Secondary Education will continue to review referrals to law enforcement.</li> </ul>
Implementation of Rochester Alternative to Suspension Program (RASP)	Department of Student Services	Ongoing	<ul style="list-style-type: none"> <li>RASP program has been eliminated due to lack of effectiveness.</li> <li>Middle School Right Fit will be implemented in Fall 2019 as an alternative program for middle school students.</li> </ul>

**PROGRESS MONITORING**

<b>ACTION STEP</b>	<b>PERSON(S) RESPONSIBLE</b>	<b>TIMELINE</b>	<b>July 2019 Update</b>
Analyze data concerning exclusions, suspensions and expulsions disaggregated by race, disability, school, and the most frequent reasons for discipline leading to school removal	School Board/Site Administration/District Administration/Elementary and Secondary Department	Monthly at school sites, Semi-Annually for the School Board	<ul style="list-style-type: none"> <li>Continue the efforts from January 2019 report</li> <li>The most frequent reasons for suspensions between January and July remained the same: physical aggression, fighting, and possession/distribution of alcohol, drugs, and tobacco.</li> <li>There have not been additional expulsions since the January 2019 report</li> </ul>
District Discipline Supervisor to meet monthly with each building administration to review all suspension data broken down by race and disability status	Building administrator/Elementary and Secondary Department	Monthly	<ul style="list-style-type: none"> <li>Office of Elementary and Secondary Education administrators will continue to meet with building administration.</li> </ul>
Inclusion of Behavior Goal within Site Improvement Plan	Building Administrator/Building Leadership Team	August/quarterly monitoring	<ul style="list-style-type: none"> <li>All sites will develop an improvement plan to address student behavior, academic, and perception data for the 2019-2020 school year.</li> </ul>
Site Improvement Plan Presentation	Superintendent/Cabinet/Building Leadership Teams	Annually	<ul style="list-style-type: none"> <li>Continue the efforts from January 2019 report</li> </ul>

## STUDENT, FAMILY, STAFF, COMMUNITY ENGAGEMENT

ACTION STEP	PERSON(S) RESPONSIBLE	TIMELINE	July 2019 Update
Student School Board – monthly meeting with student representation from all secondary sites	Superintendent/School Board	Monthly	<ul style="list-style-type: none"> <li>Superintendent and School Board members will continue to meet with students from all secondary sites during the monthly student school board meetings.</li> </ul>
Superintendent Listening Posts – opportunity for stakeholders to discuss topics of interest	Superintendent/Cabinet	Quarterly	<ul style="list-style-type: none"> <li>Listening Posts will continue on a quarterly basis</li> </ul>
Student Listening Posts (Secondary Level) – opportunity for students to discuss topics of interest	Superintendent/Cabinet/ Building Leadership	Quarterly	<ul style="list-style-type: none"> <li>Listening sessions once during the school year (minimally) by superintendent and cabinet and ongoing by building leaders.</li> </ul>
Survey to gather feedback on the Plan	Communications/Building Leadership	Annually	<ul style="list-style-type: none"> <li>This occurred in Spring of 2019 and will occur again in the Spring of 2020.</li> </ul>
Student Perception Data	Building Leadership	Ongoing	<ul style="list-style-type: none"> <li>Administered Panorama Survey to all Grades 3 - 12 in Spring 2019. Will administer Panorama twice in the 2019-2020 school year.</li> </ul>
Community Input Sessions to gather feedback (strengths, concerns, questions, suggestions) on the Plan	Superintendent/Cabinet	Semi-Annually	<ul style="list-style-type: none"> <li>Opportunity to provide input on the Plan's progress through Superintendent's Listening Posts</li> </ul>
Attend staff meetings to gather staff feedback on the Plan	Superintendent/Cabinet	Annually	<ul style="list-style-type: none"> <li>Superintendent and Cabinet gathered feedback at all staff meetings district-wide in Spring 2019. Principals will solicit feedback in the 2019-2020 School Year.</li> </ul>

### MEASUREMENT AND METRICS

#### Professional Development/Instructional Practices

The district will continue to gather needs input on culturally responsive practices and provide relevant professional development and ongoing classroom support by trained coaches and multiple experts such as Dr. Sharroky Hollie and Midwest and Plains Equity Assistance Center.

The district will collect data through classroom observation, stakeholder input, and the CLASS Tool evaluation.

**The Plan**

The district will create a district data team to analyze discipline data and monitor progress in closing the gap on disparities. District Cabinet and Superintendent will review all feedback and use the data that is being collected to identify trends and take follow up action that is appropriate under the circumstances, which may include modifying the plan to emphasize successful strategies and deemphasize strategies that are not working.

## EXHIBIT B

2018-19

EOY Data

School	Number of Suspensions for year	Number of Expulsions for year
Bamber Valley	28	
Bishop	6	
Churchill	5	
Elton Hills	21	
Folwell	5	
Franklin	51	
Franklin Montessori	2	
Gage	76	
Gibbs	3	
Hoover	7	
Jefferson	4	
Lincoln	9	
Longfellow	1	
Pinewood	8	
Riverside	14	
Sunset Terrace	27	
Washington	6	
Century	37	
John Marshall	173	
Mayo	111	3
RAIL	5	
John Adams	150	
Willow Creek	184	
Kellogg	166	
Friedell	8	
Phoenix Academy	13	
<b>Total</b>	<b>1120</b>	<b>3</b>

<b>Offense category for each suspension</b>	<b>Total</b>	<b>Offense Category for each expulsion</b>
Abusive Language	34	0
Alcohol,Drugs,Tobacco,Parapher	167	3
Arson	6	0
Bullying	10	0
Bullying: Race/Nat'l Origin	3	0
Fighting	264	0
Harassment	13	0
Harassment: Race/Nat'l Origin	1	0
Harassment: Sexual Orientation	1	0
Hazing	2	0
Illegal Conduct	3	0
Interruption to Learning Envir	102	0
Physical Aggression	365	0
Property Damage	18	0
Sexual Assault	6	0
Sexual Misconduct	13	0
Theft	29	0
Threats of Violence	56	0
Weapon,Explosive,IncendiaryDev	27	0
<b>Total</b>	<b>1120</b>	<b>3</b>

<b>Total Out of School Suspensions by race</b>	<b>Total</b>	<b>Total Expulsions by Race</b>
Native American	6	0
Asian	34	0
Hispanic	130	0
Black	421	1
White	396	2
Multi Race	133	0
<b>Total</b>	<b>1120</b>	<b>3</b>

<b>Total Out of School Suspensions by disability status (as of 10/1/18)</b>	<b>Total</b>	<b>Total Expulsions by disability status (as of 10/1/18)</b>
Identified without disability	534	1
Identified with disability	586	2
<b>Total</b>	<b>1120</b>	<b>3</b>